

**FILED****UNITED STATES DISTRICT COURT**for the  
Western District of Texas

February 12, 2024

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY: Veronica Medina  
DEPUTY

United States of America

v.

Case No.

**EP-24-MJ-643-LS**Jonathan Enrique HERRERA-Vasquez*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10, 2024 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. 1326(a)

an alien, who had previously been excluded, deported, and removed from the United States, attempted to enter, entered, and was found in the United States, without having previously received consent to reapply for admission from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4) and 557.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complaint sworn to telephonically on

February 12, 2024 at 11:54 AM and signed  
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

Sworn to before me and signed in my presence.

Date: February 12, 2024City and state: El Paso, Texas*Complainant's signature*Charles J. Wright*CBP Enforcement Officer**Judge's signature*Leon Schydlower*U.S. Magistrate Judge*

**FACTS**

On or about February 10, 2024, the DEFENDANT, Jonathan Enrique HERRERA-Vasquez, a native and citizen of El Salvador, attempted to enter the United States from Mexico at the Bridge of the Americas (BOTA) Port of Entry, in El Paso, Texas located in the Western District of Texas. The DEFENDANT attempted to evade inspection by scaling the fence at the cargo lot, which was closed at that time. The DEFENDANT was apprehended by Customs and Border Protection Officers (CBPO) and stated he is a citizen of El Salvador not in possession of legal entry documents. The DEFENDANT also stated that his intention was to travel to San Francisco, California. The DEFENDANT was escorted to Passport Control Secondary (PCS) for further inspection.

In Passport Control Secondary, system queries revealed that the DEFENDANT had been removed from the United States on December 6, 2023. The DEFENDANT was served with form I-214 (Spanish Version), Warning of Rights, which he read, said he understood and invoked his right to legal counsel. All questioning ceased.

Further Immigration record checks indicate that the DEFENDANT has not applied for, nor received permission from the Attorney General or the Secretary of Homeland Security to reapply for admission into the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

**CRIMINAL AND IMMIGRATION RECORD**

CRIMINAL RECORD

None can be established at this time.

IMMIGRATION RECORD

Removed to El Salvador on December 6, 2023, from Harlingen, Texas.